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No. 94-2003-CFX  
Status: DECIDED

Title: Lotus Development Corporation, Petitioner  
v.  
Borland International, Inc.

Docketed:  
June 7, 1995

Court: United States Court of Appeals for  
the First Circuit

Counsel for petitioner: Gutman, Henry Braude

Counsel for respondent: Reback, Gary L., Gehaar, Peter E.,  
Brower, Steven

40 copies ea ptn & sep appdx.

Entry	Date	Note	Proceedings and Orders
1	Jun 7 1995	G	Petition for writ of certiorari filed.
2	Jun 7 1995		Appendix of petitioner filed.
3	Jul 6 1995		Brief of respondent Borland International, Inc. in opposition filed.
4	Jul 6 1995	G	Motion of Intellectual Property Owners for leave to file a brief as amicus curiae filed.
5	Jul 7 1995	G	Motion of Information Technology Industry Council for leave to file a brief as amicus curiae filed.
6	Jul 12 1995		DISTRIBUTED. September 26, 1995 (Page 41)
7	Jul 18 1995	X	Reply brief of petitioner filed.
8	Sep 27 1995		Motion of Intellectual Property Owners for leave to file a brief as amicus curiae GRANTED. Justice Stevens OUT.
9	Sep 27 1995		Motion of Information Technology Industry Council for leave to file a brief as amicus curiae GRANTED. Justice Stevens OUT.
10	Sep 27 1995		Petition GRANTED. The brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 9, 1995. The brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Friday, December 8, 1995. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, December 28, 1995. Rule 29.2 does not apply. Justice Stevens OUT. *****
12	Oct 27 1995		Record filed.
		*	Partial record proceedings United States Court of Appeals for the First Circuit (BOX) (SEALED ENVELOPE)
38	Oct 27 1995		Record filed.
		*	Certified record proceedings United States Court of Appeals for the First Circuit. (BOX)
11	Nov 1 1995		SET FOR ARGUMENT MONDAY, JANUARY 8, 1996. (3RD CASE).
13	Nov 9 1995		Joint appendix filed.
		*	Joint appendix in two volumes
14	Nov 9 1995		Brief of petitioner Lotus Development Corporation filed.
16	Nov 9 1995	G	Motion of American Intellectual Property Law Association for leave to file a brief as amicus curiae filed.
17	Nov 9 1995		CIRCULATED.
19	Nov 9 1995	X	Brief amici curiae of Digital Equipment Corporation, et al.

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Entry	Date	Note	Proceedings and Orders
18	Nov 13 1995		filed. LODGING consisting of twelve copies of Selden's Condensed Ledger, Reports and Condensed Memorandum Book (5th ed.1861) submitted by Counsel for the Petitioner.
20	Dec 4 1995		Motion of American Intellectual Property Law Association for leave to file a brief as amicus curiae GRANTED.
22	Dec 7 1995	G	Motion of Howard C. Anawalt for leave to file a brief as amicus curiae filed.
25	Dec 7 1995	G	Motion of Software Protection Comm. of MN Intellectual Property Law for leave to file a brief as amicus curiae filed.
35	Dec 7 1995		Record filed.
		*	Original record proceedings United States District Court for the District of Massachusetts (27 BOXES).
37	Dec 7 1995	X	Brief amicus curiae of Computer Scientists filed.
23	Dec 8 1995	X	Brief of respondent Borland International, Inc. filed.
24	Dec 8 1995		LODGING consisting of twelve copies of two videotapes submitted by counsel for the respondent.
26	Dec 8 1995	X	Brief amici curiae of Software Industry Coalition, et al. filed.
27	Dec 8 1995	X	Brief amicus curiae of Economics Professors and Scholars filed.
28	Dec 8 1995	X	Brief amicus curiae of Users Groups filed.
29	Dec 8 1995	X	Brief amicus curiae of Professors Peter S. Menell and Dennis S. Karjala filed.
30	Dec 8 1995	X	Brief amicus curiae of Software Forum filed.
31	Dec 8 1995	X	Brief amicus curiae of League for Programming Freedom filed.
32	Dec 8 1995	X	Brief amici curiae of American Committee for Interoperable Systems, et al. filed.
33	Dec 8 1995	X	Brief amicus curiae of Copyright Law Professors filed.
34	Dec 8 1995	X	Brief amicus curiae of Altai, Inc. filed.
36	Dec 15 1995		LODGING by petitioner. Twelve copies of videotape filed in the United States District Court for the District of Massachusetts (Docket No. 332, 2-35, 2-36; Docket No. 333, 3-26:4-11).
39	Dec 28 1995	X	Reply brief of petitioner Lotus Development Corporation filed.
40	Jan 8 1996		Motion of Howard C. Anawalt for leave to file a brief as amicus curiae GRANTED. Justice Stevens OUT.
41	Jan 8 1996		Motion of Software Protection Comm. of MN Intellectual Property Law for leave to file a brief as amicus curiae GRANTED. Justice Stevens OUT.
42	Jan 8 1996		ARGUED.
43	Jan 16 1996		Adjudged to be AFFIRMED. The judgment of the United States Court of Appeals for the First Circuit is affirmed by an equally divided Court. Justice Stevens took no part in the consideration or decision of this case. Opinion per curiam.